



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: K. Morigaki et al. : Art Unit: 1745  
Serial No.: 09/601,234 : Examiner: S. Foster  
Filed: October 30, 2000  
FOR: NON-AQUEOUS ELECTROLYTE  
SECONDARY BATTERY  
COMPRISING COMPOSITE  
PARTICLES (AS AMENDED)

#12  
PW  
5.24.02  
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**TC 1700**

TERMINAL DISCLAIMER TO  
OVERCOME DOUBLE PATENTING REJECTION

Assistant Commissioner for Patents  
Washington, D.C. 20231

S I R :

I, Lawrence E. Ashery, represent that I am an attorney of record  
for this invention.

The Assignee is Matsushita Electric Industrial Co., Ltd.

The extent of the interest in this invention that the Assignee owns  
is in the whole of this invention, by virtue of an assignment from the inventor  
of U.S. patent application Serial No. 09/601,234, filed October 30, 2000.

The Assignment was recorded on October 30, 2000, Reel  
011252, Frame 0252. A copy thereof is attached.

The terminal part of the statutory term of any patent granted on  
the above-identified application, which would extend beyond the expiration  
date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173 of  
any patent resulting from United States Patent Application No. 09/601,421, is

hereby disclaimed, except as provided below. It is agreed that any patent so granted on the above-identified application shall be enforceable only for and during such period that said patent will become commonly owned with any patent resulting from United States Patent Application No. 09/601,421, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

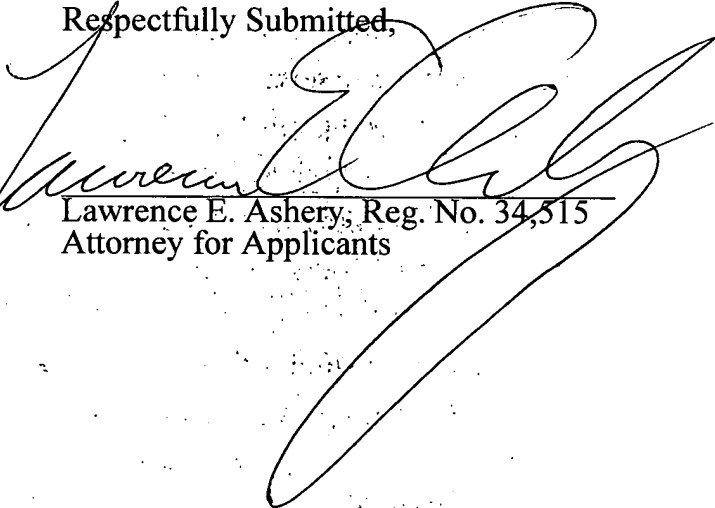
In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term (as defined in 35 U.S.C. §§ 154 to 156 and 173) of any patent resulting from United States Patent Application No. 09/601,421, in the event that any patent resulting from Patent Application No. 09/601,421 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the Assignee identified above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The fee of \$110.00 set forth in 37 C.F.R. § 1.20(d) is submitted herewith.

Respectfully Submitted,



Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Applicants

Enclosure: check for \$110.00

Dated: May 16, 2002

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The Commissioner is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

May 16, 2002  
